

REMARKS

Reconsideration of the application is respectfully requested.

Objection to the specification

Objections to the the abstract and paragraph 6 of the specification due to various informalities are being corrected in this reply.

Claim rejection under 35 U.S.C. §102(b)

The Office Action rejected claims 1-8 under 35 U.S.C. §102(b) as allegedly being anticipated by Romer et al. "Instrumentation and Optimization of Win32/Intel Executables Using Etch", 08/1997 ("Romer"). As understood by applicant, Romer discloses a general-purpose tool for modifying executables for both measurement and optimization. An executable is a binary representation of an application. On the other hand, the present application is directed to normalizing a profile obtained from executing an application to account for actions applied to the application after the profile is collected, for example, for improving the subsequent behavior of the application. Consequently, Romer does not disclose every element claimed in claims 1-8. For instance, Romer does not disclose at least "adjusting the profile to form a normalized profile according to the predicted impact" as claimed in claims 1-4, "adjusting the first profile to form a normalized profile according to the predicted impact" as claimed in claims 5-6, and "adjusting the collected profile to form a first normalized profile according to the predicted impact" as claimed in claims 7-8.

The Office Action cites 2.2 Optimization, lines 1-2 on page 4 of Romer as allegedly disclosing that element. That section of Romer as understood by applicant discloses providing facilities for rewriting an executable. An executable as stated above is a binary representation of an application. That section or anywhere else in Romer, however, does not disclose or suggest adjusting a profile as claimed in claims 1-8 of the present application. A profile is not an executable. Rather, a profile in the present application refers to information obtained from executing an application (e.g., see paragraphs 3-4 of the specification).

In addition, although applicant believes claims 1-8 as originally claimed are distinguishable from Romer at least for the above reason alone, claims 1-2 and 7-8 are being amended in this reply to recite "predicting an impact on the profile." Similarly, claims 3-6 are being amended to claim "predicting an impact on the first profile." These amendments are being made for clarification reasons only. It is submitted that Romer does not disclose or suggest predicting an impact on a profile. Accordingly, at least for the foregoing reasons, it is believed that Romer does not anticipate claims 1-8.

This communication is believed to be fully responsive to the Office Action and every effort has been made to place the application in condition for allowance. A favorable Office Action is hereby earnestly solicited. If a telephone interview would be of assistance in advancing prosecution of the subject application, the Examiner is requested to telephone the number provided below.

Respectfully submitted,



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